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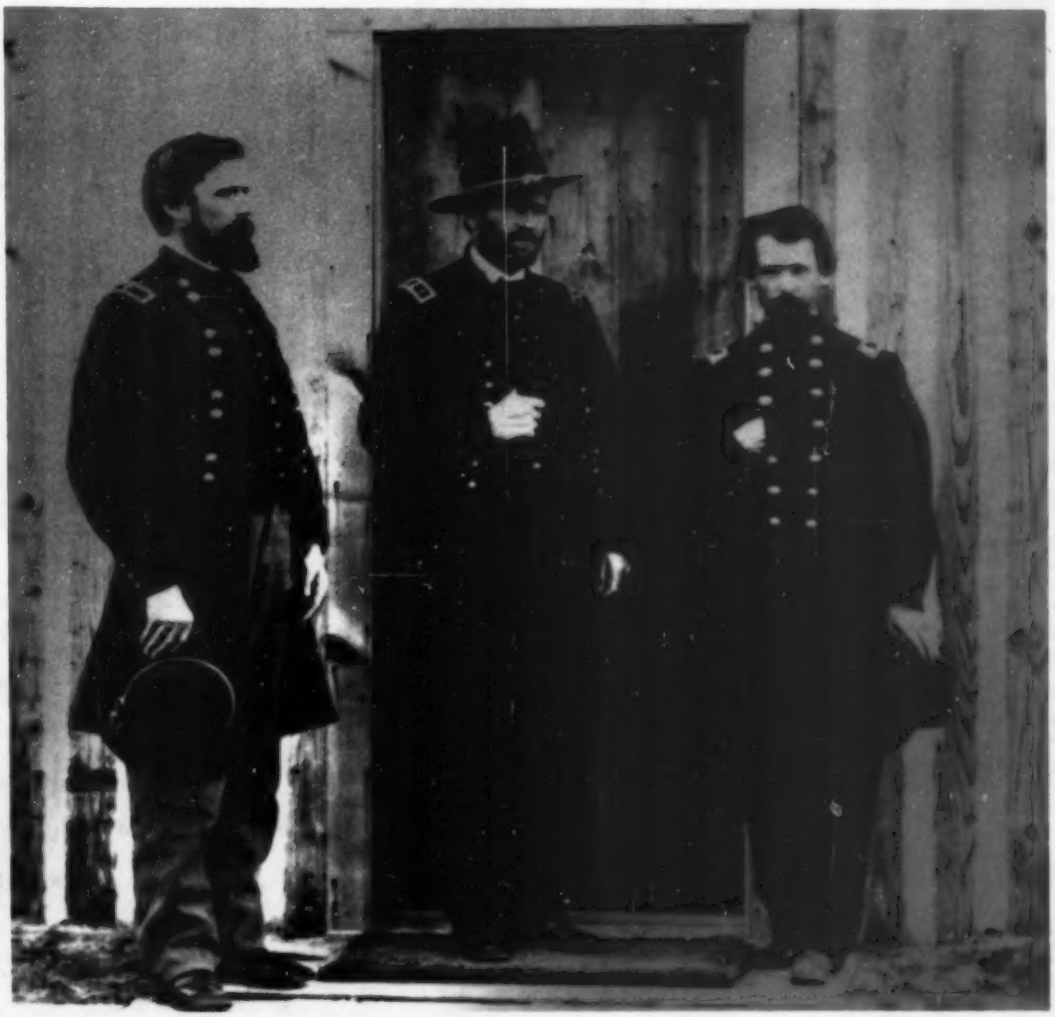

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Gen. Ulysses S. Grant (center) flanked by Gen. Rawlins and Lt. Col. Bowers of his staff in City Point, Va., April 12, 1865. The Manuscript Division has recently acquired important additions to its Grant papers. The photo, from Matthew Brady & Co., is part of the Library's collection of Civil War photos.

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Furlough That Never Was

"The Library is now operating under a continuing resolution that expires Friday, October 5. Current plans call for Congress to pass another continuing resolution providing funding through October 19, and we are hopeful that this resolution will be enacted."

So read an Oct. 4 memo from Deputy Librarian of Congress Winston Tabb to LC staff. And just as he had hoped, Congress *did* pass another continuing resolution on Oct. 5 at 1:17 a.m. But that action was not enough to avert a virtual shutdown of the federal government.

President Bush vetoed the legislation, which would have kept government operations running for another seven days and given members of Congress more time to slash the budget by approximately $500 billion over the next five years. In so doing, the president sent a message to lawmakers that he would no longer tolerate stalling over the difficult decisions that must be made to meet the targets of the Gramm-Rudman-Hollings deficit reduction law.

Thus, without a penny to spend, the U.S. government, except for "essential" services, was closed. The Columbus Day weekend gave Congress—and federal employees—some breathing room before a worst-case scenario (furloughs) kicked in.

But the thousands of tourists who had journeyed to the nation's capital to see the famous sights saw something unexpected: "Closed" signs were hanging on most federal buildings, including the Library of Congress, the 13 Smithsonian museums, the White House and even public rest rooms.

However, the Capitol building was opened, as Congress worked furiously to reach a compromise. Finding little else to do on the Washington Mall, visitors packed the building. The U.S. Capitol Guide Service estimated that 12,000 people took the tours on Saturday, Oct. 7. The lines grew so long that the wait to get inside was three hours at its peak.

Those who had forgone the Mall and headed for the National Zoo in upper Northwest Washington found the grounds opened but the animal houses locked. When Senate Minority Leader Robert J. Dole of Kansas heard of the long wait to get in the Capitol, he quipped: "That's because we're the only zoo in town."

On the evening of Oct. 8, Senate Majority Leader George J. Mitchell of Maine commented that "tonight we reap the bitter harvest of 10 years of national self-indulgence. We all know the problem and we all know the solution. And it has to begin here tonight."

President Bush signed the bill only hours before LC staff and other federal employees were to report to work Oct. 9.

It was business-as-usual that morning, as the 5,000 LC employees came to do their work; the Library's Jefferson, Madison and Adams buildings had been closed the entire three-day weekend.

But at press time, the drama was far from over. The second stopgap spending bill only gave Congress until midnight Oct. 19 to reach an agreement before the government would go broke again.

The confusion on the Hill and within the administration over just what kind of package Bush would accept made it unlikely an agreement would be reached in time.

Although a sense of relief was apparent among many staff, some could not forget that they were still laboring under a cloud of uncertainty. "We could still be out of work, on Oct. 19, if they [Congress] don't pass a budget," said one employee, only half smiling.

—Guy Lamolinara

Library Helps Out in Persian Gulf Crisis

On Aug. 2, 100,000 Iraqi troops invaded the kingdom of Kuwait. Within hours Library staffers had been called upon to assist in a number of ways as the nation mobilized in response.

President Bush's declaration of an embargo on trade with Iraq and Kuwait and his subsequent incremental call-up of U.S. reservists have had a direct effect on LC operations. Employees who are active or retired military reservists have begun to put their personal affairs in order in the event of a general mobilization of troops for deployment to Saudi Arabia.

Already, at least one Library employee, Master Sgt. Willie "Skip" Swinson, of the Law Library Collections Services Office, has been activated and given emergency military leave by LC for a 90-day tour of duty in the Middle East.

Since Aug. 2, members of Congress, their constituents, congressional committees, federal agencies, attorneys for banks and businesses, academics, the press and even the White House have sought the aid of various Library divisions.

On Aug. 7, for example, ABC-News contacted the Library's African and Middle Eastern Division's Near East Section for the Arabic meaning of the name Saddam. That evening, ABC-News anchorman Peter Jennings included the Library-supplied definition, "he who confronts," in his broadcast, observing that Saddam Hussein certainly "lived up to his name." On Sept. 10, according to the Near East Section head, George Atiyeh, the White House called the Library for a faxed copy of a November 1988 speech by Saddam wherein he declared he would never attack a fellow Arab nation. The full text of the speech had been printed in an issue of a Baghdad newspaper, *Al-Jumhuriyah* (*The Republic*), printed in Arabic. The Library holds a complete file of the Iraqi daily in the Near East Section's collection.

The imposition of the embargo has interrupted all Library acquisitions from booksellers and publishers in Iraq and Kuwait, according to Chris Filstrup, chief of the Overseas Operations Division. The Library has, however, been able to obtain publications of the Kuwaiti government-in-exile operating out of Cairo. Some Kuwaiti newspapers being printed by resistance groups in the Egyptian capital are also being added to the Library's Arabic-language collection. In order to continue receiving publications printed in either Iraq or Kuwait, the Library has applied to the Treasury Department's Office of Foreign Assets Control for a waiver of the embargo.

The Near East Section has seen a sharp increase in the number of readers and in the use of its collection, according to Mr. Atiyeh. Other references the African and Middle Eastern Division has been asked to supply have ranged from documentation pertaining to the 1961 Iraq-Kuwait border conflict, to source materials on the medieval history and ancient name of Kuwait City, Al-Kazimah, which the Iraqis have officially revived since its capture.

The Congressional Research Service (CRS) organized the Interdivisional Task Force and added Iraq-Kuwait to its list of major tracking issues—commonly called "Hot Topics"—on Aug. 5. In the following few weeks, the Service produced 18 CRS reports for Congress, five CRS issue briefs and numerous confidential memorandums to members and committees of Congress. At least 25 CRS analysts, attorneys and regional and subject specialists from its various divisions have been enlisted for the CRS Task Force, according to Charlotte Preece, assistant chief of CRS's Foreign Affairs and National Defense Division and task force co-coordinator.

George Atiyeh says the White House called LC for a copy of Saddam's speech declaring he would never attack a fellow Arab nation. Photo by Alex Pohl

The task force has supplied Congress members and their staffs with

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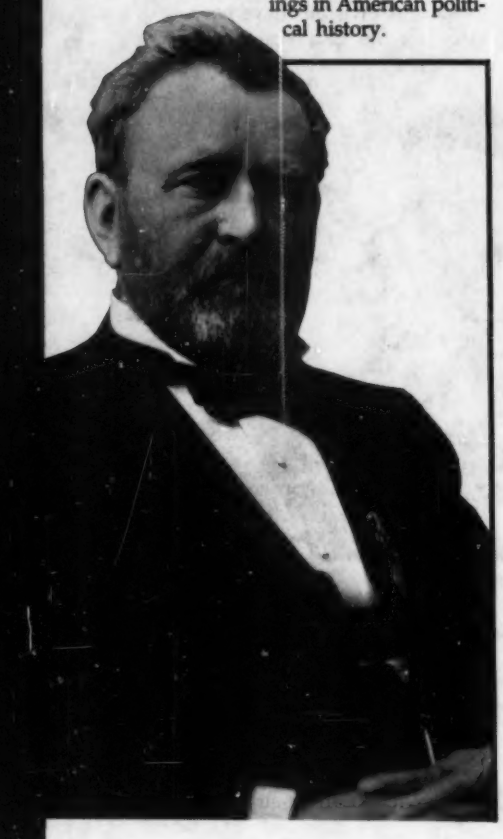
The Manuscript Division

New Acquisitions Shed Light on Government of Past Two Centuries

by Gerard W. Gawalt, Janice E. Ruth and John R. Sellers

New acquisitions in the Manuscript Division help to illuminate the functioning of the executive and legislative branches during the 18th and 19th centuries.

Important additions to the papers of Ulysses S. Grant, Vice President Elbridge Gerry and House of Representatives clerk John J. Beckley have recently been acquired. These new receipts further strengthen the division's unparalleled holdings in American political history.



U.S. Grant and his wife, Julia Dent Grant

The Beckley Collection

The records of the House and Senate are the focus of two of the recent acquisitions. The collection of John James Beckley (1757–1807), first clerk of the House, contains important records of the early Congresses, and a letter by Vice President Elbridge Gerry (1744–1814) provides valuable information on the rescue of the Senate's records during the British sacking of Washington in the War of 1812.

Gerry's major duty as vice president was to preside over the Senate, and his letter of Sept. 5, 1814, to John G. McDonald, an engrossing clerk in the office of the secretary of the Senate, documents his concern for the safety of the Senate's records after the British burned the Capitol building on Aug. 24, 1814. Gerry's letter also offers important evidence concerning the longstanding dispute over who whisked the records out of the Capitol in the face of advancing British forces.

Historians and the participants have debated whether McDonald or Lewis H. Machen, another engrossing clerk in the Senate secretary's office, was responsible for saving the papers. Both clerks claimed credit as they competed for advancement in the Senate secretariat. Although Machen in a Sept. 12, 1836, letter to Sen. William C. Rives (in the Manuscript Division's Rives Papers) reluctantly gave McDonald credit for helping to rescue the records (albeit under his directions), Gerry's letter, which will be added to the Manuscript Division's Elbridge Gerry Papers, supports McDonald's major involvement:

"I have this moment received your letter of the 25th of August, & rejoice to learn that the public records & files of the Senate are, as I flatter myself are those of the other Departments, in a place of Safety. I think it best that they should remain in statu quo, untill it shall be determined where Congress are to hold their next session, & that then they should be removed to that Place; unless indeed their safety should require a previous measure."

The Beckley Papers, donated to the Library by Beckley's great-great-great grandson, Paxton Davis of Fincastle, Va., contain memorandums and letters of the first clerk of the House of Representatives (1789–97; 1801–07) and the first Librarian of Congress (1802–07). These papers not only illuminate Beckley's role as constitutional theorist and parliamentarian in the formative years of Congress, they also reveal important precedents and procedural actions of the House of Representatives in the 1790s.

The most important manuscript is John J. Beckley's "Rough Memorandum Book, October 1791," which contains 10 pages of notes by Beckley on significant events in the House of Representatives from Oct. 26, 1791, to April 2, 1792, during the first session of the second Congress. This hitherto unrecognized memorandum book of parliamentary precedents and constitutional issues is particularly important because the rough journals of the House for the Beckley clerkship have never been found and apparently were systematically destroyed at Beckley's behest.

Beckley's 32 dated entries report specific legislative actions that had special significance to him for the operation of the House and the rest of the government. Beckley often added his own commentary on the constitutional and parliamentary aspects of these actions, making them all the more valuable to historians, political scientists and students of congressional procedures and precedents.

Among the issues reported are those as broad as the constitutional authority of the House to conduct investigations into contested congressional elections or to grant powers to the executive branch, and as technical as procedures of assigning bills to committees, calling bills to the floor of the House, debating bills at the "clerk's table" and the relative precedence of motions.

The same memorandum book also serves as a Beckley letterbook for 1797–1799. There are 101 letters on 78 pages, chiefly concerned with Beckley's large-scale land speculations in Georgia, Kentucky, Virginia and the District of Columbia. Among the correspondents are William Blount, James Brown, Alexander J. Dallas, James Greenleaf, John Milledge, Robert Morris, Edmund Randolph, Littleton Tazewell and James Trenchard.

Political issues and personal economic actions are the subjects of 11 other letters and documents, 1791–1806, affiliated with the memorandum book. Among the correspondents are William Anderson, Callander Irvine, Isaac Prince, John McKesson and F.W. Lecomte. The collection also contains Beckley's draft of an essay on the parliamentary precedents of legislative powers, the "specified and enumerated powers" of Congress, and the "implied limitations" to those powers under the Constitution.

The Beckley Papers also contain additional materials that reflect the full range of the family's business and political activities from 1789 to 1888. Nevertheless, their importance lies in the information on the early national period of American government, the legislative process and the role of John J. Beckley.

The Grant Papers

Post-Civil War politics and the functioning of the executive branch, on the other hand, are topics reflected in the recent addition to the papers of Ulysses S. Grant (1822–1885). The Library began collecting Grant's papers about 70 years ago. The first manuscript records relating to the famous soldier-statesman reached the Manuscript Division in June 1922, and subsequent additions have continued to arrive in unscheduled, often widely scattered, installments of varying size and format. Almost without exception, these donations have come from Maj. Gen. Ulysses S. Grant III (1881–1968), his mother, Mrs. Frederick Dent Grant, or his daughter, Mrs. David W. Griffiths.

The most recent installment, donated by Mrs. Griffiths, consists of approximately 3,000 items, most of which appear to have been set aside by Maj. Gen. Ulysses S. Grant III for his work on *Ulysses S. Grant: Warrior and Statesman* (1969).

Anyone familiar with that biography, however, will recognize that the author made little use of his personal cache.

The papers fall into four major categories: official correspondence, 1864–74; miscellaneous military papers, 1861–67; general correspondence, 1860–1960; and the memoirs of Julia Dent Grant. The official correspondence is divided almost equally between Grant's career as secretary of war and as president of the United States, with only one folder of material written during the Civil War.

The letters cover a seemingly endless variety of subjects, such as foreign affairs, civil rights, the prospects of acquiring the Dominican Republic, the national economy, the Republican Party and Grant's business affairs and political campaigns. Correspondents include commanders of various military departments, members of Congress, state governors and officials, college presidents, businessmen, private citizens and trusted emissaries whom Grant sent to Southern cities to report on the progress of Reconstruction.

Letters to Grant from private citizens often contain advice on national issues or congratulatory remarks on military or political decisions. Many writers reveal a shameless desire to capitalize on their association with the president or members of his family, as is the case in a letter, dated June 2, 1869, from Capt. James May. For reasons of his own, Capt. May attempted to use his acquaintance with Frederick Dent, Grant's father-in-law, to promote the postwar career of Gen. Robert E. Lee.

Although there are no obvious surprises in the collection, scholars may find items such as Grant's commission as lieutenant general in the U.S. Army, a rank previously awarded only to George Washington, of special interest. The docu-

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Manuscripts *(Cont. from p. 353)*

ment is signed by President Abraham Lincoln. Also worth mention is a letter, dated Jan. 8, 1863, from Rep. Elihu B. Washburne to Grant, in which the longtime friend and supporter explained the retraction of Grant's order ousting Jewish sutlers, or merchants, from Union camps in the Mississippi Valley.

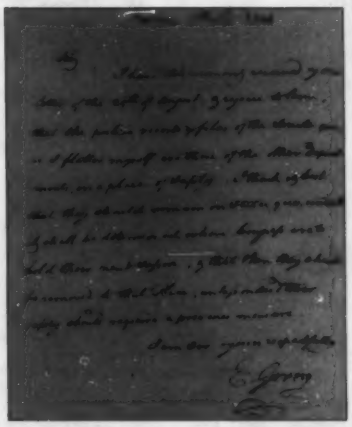
Numerous letters in the general correspondence file are labeled "private" or "confidential."

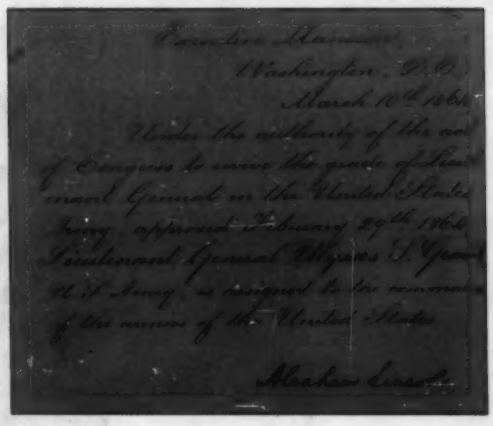
They include letters by such notables as Frederick Douglass, Elihu Washburne, Orville E. Babcock, John Singleton Mosby, Philip Sheridan, William T. Sherman, Hamilton Fish, Edwards Pierrepont and Benjamin Helm Bristow. Many correspondents applaud Grant's political decisions and declarations, or appeal to him to run for a third term. Others solicit personal and political favors.

At the opposite extreme, however, are the surprising number of threats on Grant's life (at least seven) over such issues as "hard" money, the Civil Rights Act of 1875 and the actions taken by Gen. Philip Sheridan in New Orleans to protect black Republicans. The collection also provides ample evidence of Grant's concern for the future of the Republican Party, his unsuccessful business ventures and his devotion to his family.

Julia Dent Grant (1826-1902) married Ulysses S. Grant in 1848, five years after he graduated from West Point. The original copy of her memoir, which she recorded with the help of her son, Frederick Dent Grant, and her longtime secretary, Mary Coffey, is contained in the most recent addition to the Grant Papers. Mrs. Grant seemed to enjoy reminiscing once the project was under way, but poor eyesight forced her to resort to dictation to accomplish the task. In 1975 the memoir was edited and published in its entirety by John Y. Simon. (A 1988 reprint is available from the Southern Illinois University Press.)

(There are no restrictions on access to the Grant, Beckley or Gerry collections. After further processing, the Grant acquisition will be microfilmed and added to the U.S. Grant presidential series.)





From the Manuscript Division: (top) Sept. 5, 1814, letter from Elbridge Gerry to John McDonald supports McDonald's claim that he saved Senate records in the face of advancing British forces; Grant's commission in the Army as lieutenant general was signed March 10, 1861, by President Lincoln. The rank had been awarded only once before—to George Washington.

Library Played a Major Role in PBS Documentary

"The Civil War" Made Use of Much of LC's Collection

An estimated 14 million Americans were glued to their televisions for five nights the week of Sept. 23.

But they weren't watching one of those steamy miniseries the major networks are fond of airing. Americans were watching a *documentary*. Ken Burns's "The Civil War" may have made some viewers weep over the tragic loss of 620,000 men on both sides who died during the conflict, but what they were seeing was history, not fiction, on the Public Broadcasting Service.

And much of what was shown came from the Library's extensive collection of prints and photographs of the period (1861–65). According to Mary M. Ison, head of reference in the Prints and Photographs Division, "We have custody of at least 50 percent of what was used in the show." The Library's well-organized prints and photographs from the Civil War comprise one of the two best collections in America, the other being at the National Archives. "We have a lot of overlap with the Archives' photos, but we have more graphic art material, such as lithographs, music covers and original drawings made by newspaper artists than the Archives," says Ms. Ison.

Mr. Burns and the staff of his company, Florentine Films, began their contact with Prints and Photographs in June 1986 when, after several weeks of searching the division's collections, the filmmaker requested the assistance of the Library in filming the Civil War materials. At the time, the division was experimenting with allowing on-site filming rather than requiring filmmakers to use copies. "Of course, you don't get the beautiful sepia tones when you make prints from the negatives for the originals," Ms. Ison says. "But our first responsibility is to the materials."

"During this experiment," Ms. Ison adds, "we found we could not provide the type of supervision required to ensure that all filmmakers handled our images properly." For example, some filmmakers tried to use tape, weights or very bright lights when working. After the experiment was concluded, it was decided not to allow such filming in the future until there is sufficient staff to provide the necessary supervision. Mr. Burns was "grandfathered in," allowing him to finish the work he had already begun.

Although Ken Burns said he used materials from about 150 sources, his greatest source was the Library.

The filmmakers spent about six weeks researching and filming here. "It was a long and immersive project. We clued them in not only to what we have but also to what was in other collections," says Bernard Reilly, head of the division's Curatorial Section.

In some cases, the Library made it easier for Mr. Burns to get permission to use others' materials. "Once we saw how careful Ken's film crew was with our materials, we were willing to write letters of reference" to private collections, says Ms. Ison.

What was her reaction to the 37-year-old Mr. Burns? "We had a pleasant working relationship with Ken and his crew. He knew what he wanted and clearly had a vision in which our photos played an important role."

Perhaps the filmmaker himself best sums up the Library's holdings. He wrote in a letter to LC: "We were struck by the extraordinary quality of the original prints. Their age, the natural sepia and other elements combine to make them a truly stunning archive of the war."

—Guy Lamolinara

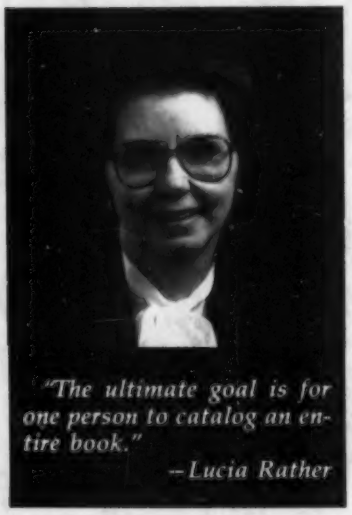
Photo of Gen. Grant's staff (top) in City Point, Va., March 1865, is in LC's Brady Collection; Gen. Sykes and staff near Richmond, Va., June 1862

Cataloging Directorate to Be Reorganized

Whole Book Cataloging Gets OK

Dr. Billington and the Library Management Team Sept. 19 gave the green light to Whole Book Cataloging.

The decision follows a successful



"The ultimate goal is for one person to catalog an entire book."
—Lucia Rather

first year of a two-year Whole Book Cataloging Project, a pilot headed by Susan Vita, chief of the MARC Editorial Division. It presages the end of a 50-year-old assembly-line approach to cataloging.

Under the plan, the Descriptive, Shared and Subject Cataloging divisions will be abolished; more than 400 catalogers, technicians and support staff will be reorganized into four new divisions: Regional and Cooperative, Arts and Sciences, Social Sciences, and History and Literature. (Rare books, microforms, music, sound recordings, manuscript collections and computer files will still be processed in the Special Materials Division.)

Initially, cataloging in each division will be done by teams of descriptive and subject catalogers and shelflisters working in close proximity.

"The ultimate goal is for one person to catalog an entire book," said Lucia Rather, director for cataloging. Most other libraries already practice whole book cataloging, she noted. During the past 50 years the Library has produced almost 8 million cataloging records, which are used by libraries throughout the nation and the world.

Whole book cataloging is not intended as a cure for the Library's arrearages, which will require the hiring of scores of additional employees. The prime aim of whole book cataloging is to help catalogers deal with the inflow of new materials. Now, days and even years are wasted between steps of the cataloging process.

The Management Team acted upon the recommendations of Henriette D. Avram, associate librarian for Collections Services, who reported the findings of the Whole Book Cataloging Project Evaluation Steering Committee at the conclusion of the first year of the pilot. Mrs. Avram said evaluators found that:

☐ The quality of the cataloging output during the project, implemented during 1989 as a pilot, was "excellent."

☐ Productivity and costs were comparable with those of traditional cataloging practices.

☐ The project demonstrated "major reductions in the wait and handling time for higher priority materials in the cataloging stream."

☐ In the first year of staff reorganization and training, production will probably drop by as much as 20 percent.

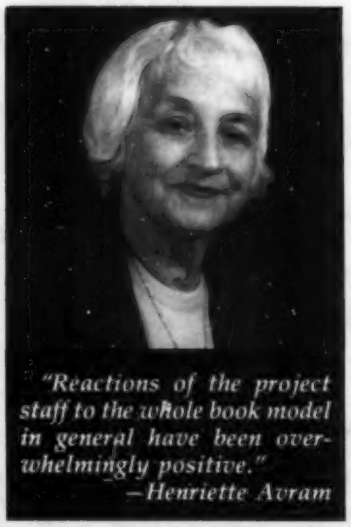
☐ Catalogers who volunteered for the one-year pilot project reacted positively to the consultative management team approach.

"Reactions of the project staff to this type of environment and to the whole book model in general have been overwhelmingly positive, resulting in very high staff morale," Mrs. Avram said.

Some catalogers, however, are not so enthusiastic. Protesting that the "Library is attempting to make too many changes in the technical processing area at once," a total of 164 catalogers signed petitions asking Dr. Billington to reconsider his support for the reorganization. Another set of petitions expressed the signers' worry that "lifetime section gatekeepers" would become permanent team leaders.

The project began in 1988 with the appointment of the Whole Book Planning Committee and a year of planning.

In February 1989 volunteers were solicited to work on the project. In



"Reactions of the project staff to the whole book model in general have been overwhelmingly positive."
—Henriette Avram

late May 1989, three cataloging teams were formed. The first year of the pilot was to test a team cataloging approach: descriptive and subject catalogers would each continue to perform one phase of cataloging and technicians would be trained to

do both preliminary cataloging and shelflisting. During an upcoming second year of the pilot, team members will be cross-trained to do one another's jobs so each can catalog an entire book.

The Steering Committee and four subcommittees evaluated the success of the first year of the pilot. They recommended full-scale reorganization and drew these conclusions:

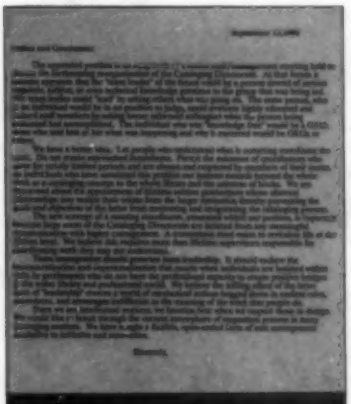
☐ **Team Catalogers Maintain Quality:** The quality of Whole Book project cataloging is "fully adequate and, in fact, compares very favorably with other cataloging done at the Library."

☐ **Team Catalogers Save Throughput Time:** Cataloging teams shaved many days of waiting between steps of the current process, which involves work by several specialists in various units of the Descriptive and Subject Cataloging divisions on one catalog record for one book. Each book must be moved from division to division—a cumbersome process.

According to analyses of the project by statistician Peter McWhite, project teams of specialists cut cataloging time for Priority 2 books (English-language items of high research value) from an average of 150 days in regular cataloging to an average of 42 days. They cataloged Priority 3 books (medium research value in English and high research value in foreign languages) in 121 days, compared with 191 days using the regular process. It took Whole Book teams 183 days to catalog Priority 4 books (English-language items of low research value and foreign-language items of medium research value), compared with 194 days in the regular process.

(Not included in this analysis were Priority 1 Cataloging in Publication (CIP) materials, which are generally processed in fewer than 10 days. However, in the April-July 1990 period, it took on average a little more than seven days for non-juvenile CIPs to complete the regular cataloging process compared with a little more than six days in the Whole Book process.)

☐ **Teams Endorse Consultative Management:** The Staffing, Training, Implementation Subcommittee, after interviewing Whole Book



"Lifetime section gatekeepers" may become permanent team leaders.
—excerpt from petition

Cataloging Project staffers, endorsed consultative management, emphasized the importance of keeping teams small (11 to 13 members), suggested that the teams include serial catalogers, and pronounced successful the mix of catalogers and technicians on the teams.

☐ **Reorganization by Subject:** The Organization and Workflow Subcommittee proposed reorganization of the Cataloging Directorate based on subject content for materials in English and most European languages. The steering committee modified these recommendations and proposed:

☐ Three divisions—Social Sciences, History and Literature, and Arts and Sciences—of four to eight teams each.

☐ A fourth division, the Regional and Cooperative Cataloging Division, to catalog materials in Chinese, Japanese, Korean, Hebrew, Yiddish, Arabic, Persian, South Asian and Southeast Asian languages, as well as materials from Africa. This division also would process the English-language materials in history and literature of these regions.

☐ The Special Materials Division will still process special materials, such as music, sound recordings, microforms, computer files and rare books. Scores are already being cataloged in the whole book mode, and this approach will be applied to the whole division.

"The team approach is vastly superior," said Phil Barber, a subject cataloger and a member of a pilot project team that cataloged religious books. "When you're sitting together you know who's working on a book and questions can be answered. You can correct errors in a matter of minutes instead of months, and it improves quality."

Team catalogers can experience the satisfaction of completing a record for a book, instead of contributing a small piece to the entire record. However, some descriptive catalogers say they will miss seeing a wide diversity of books for which they create bibliographic records that include title, author's name, publisher, editor and number of pages. Their work is governed by highly complex cataloging rules, *Anglo-American Cataloging Rules, 2nd Ed.*

Some subject catalogers say they fear they will lose some of their subject expertise if they have to do descriptive cataloging. Subject catalogers concentrate on subject headings and classification numbers that will be most helpful in guiding researchers to the work being cataloged.

Later this fall, Dr. Billington and Henriette Avram plan to hold a meeting with catalogers who have, as the Librarian put it, "specific suggestions" for improving cataloging.

—Gail Fineberg

Register of Copyrights Reports to ABA Convention

Issues Raised on Computer Software, Fair Use, Audio Taping

Register of Copyrights Ralph Oman gave his annual report to the American Bar Association on Aug. 6 in Chicago.

The Register focused on two significant court cases involving copyright issues—*Atari v. Oman* and *Oman v. Springer Verlag*—on intellectual property legislation before Congress and on the fair use cases involving authors J.D. Salinger and L. Ron Hubbard.

In *Atari v. Oman*, which concerns the copyrightability of the audiovisual game Breakout, issues of *de minimus* authorship are involved, the Register said. Mr. Oman outlined the legal history of the case, from the Copyright Office's refusal to register the audiovisual aspects of the game in 1987 to another rejection after the case was remanded to the office for reconsideration.

Commenting on the importance of the *Atari* case, Mr. Oman said that the case "has potentially significant ramifications, not so much in the video game area, but rather in computer software. . . . If a 'series of related images' per se is entitled to copyright protection, then some might argue that all computer screens are per se copyrightable. Do we really want that result?"

Deciding how much authorship is enough to exceed *de minimus* authorship is difficult, the Register said. (The concept of *de minimus* refers to requiring a certain amount of original authorship to distinguish it from being a mere copy.)

"The Copyright Office struggles with it every day," Mr. Oman told his audience. "And I know you struggle with it on behalf of your clients. We struggle with it rather than take the easy way out—which would be to register it—because Congress and the courts, especially the courts, want us to bring our great expertise to bear on these distinctions to help shape the law and the level of protection. If we give a threshold opinion, the courts will have an easier time, and they will probably have fewer cases."

Oman v. Springer Verlag involves the applicability of the mandatory deposit provision to works distributed in the United States by foreign publishers.

The Register described how copyright deposits have augmented the collections of the Library of Congress since 1865. Some of the collections, he said, "have been built almost exclusively on copyright deposits."

He conceded that he sometimes hears criticism of the requirement, especially for works of foreign origin. But he defended the provision, citing its benefits.

"Perhaps, in an idealized world," the Register said, "the Library should pay for all the items that are added to its collections. In many ways, it does pay. Congress subsidizes the copyright system with money from U.S. taxpayers roughly equal to the value of the deposits."

Springer Verlag settled the suit on Jan. 12. The protracted battle that some expected never took place. The German company conceded the applicability of mandatory deposit to its publications.

"If a 'series of related images' per se is entitled to copyright protection, then some might argue that all computer screens are per se copyrightable. Do we really want that result?"
—Ralph Oman

Fair Use

The fair use cases involving Salinger and Hubbard point out the difficulty of drafting appropriate statutory language defining fair use. (Fair use is the practice of using another person's copyrighted material for legitimate purposes such as criticism, scholarship and research. In the Salinger and Hubbard cases, the fair use question essentially was whether an author's

unpublished letters could be used in unauthorized biographies (see LC *Information Bulletin*, Sept. 10, 1990).

"Fair use does not lend itself to pat formulas," Mr. Oman said. "The critical question that Congress must resolve is whether the proposed legislative fix will help or hinder judges in their effort to sort out this tricky legal thicket. Important First Amendment considerations hang in the balance, as does the livelihood of authors."

Several bills to amend Section 107 of the Copyright Act, the fair use provision, have been introduced in Congress. "I believe there is a general movement toward enacting a revision of Section 107 in this Congress," Mr. Oman said, "but by taking an approach different from the bills as introduced. One approach is to add a sentence at the end of the section stating, in effect, that the unpublished nature of a work is not a per se bar to fair use."

Design Protection

Next, the Register turned to proposed design protection legislation, which he called a "perennial Washington issue."

He summarized the various design protection bills:

They would establish *sui generis*, i.e., one-of-a-kind, protection of designs of useful articles that are "intended" to be attractive or distinctive in appearance. Protection similar to copyright protection would be conferred for 10 years. The legislation would not affect protection for applied designs on the basis of copyright or design patent. "Commonplace" designs, designs dictated by function and apparel designs would be excluded. The Copyright Office would administer the registration system.

The proposals have strong support from the administration, the Patent and Trademark Office and from some congressional leaders. "We have some reservations over the possible scope of protection, especially on the spare parts question," the Register explained.

Audio Taping

Mr. Oman summarized the positions of the opponents in the continuing struggle over home audio taping.

"Digital audio taping [DAT] is yet another skirmish in the continuing home taping war," he said.

The serial copy management system (SCMS), a proposed solution to the impasse between, on the one hand, the recording and electronics industries and, on the other, the composers and music publishers, does not please all the parties. Some of them—ASCAP, the Songwriters Guild of America and the National Music Publishers' Association—want a royalty system. The SCMS system allows unlimited digital copying, but one cannot make a digital copy of another copy.

"The Copyright Office favors the SCMS legislation as a step in the right direction, but we also urged a comprehensive solution that assures some compensation to creators," Mr. Oman said. He outlined the debit card or credit card system solution that he proposed at a June 13 Senate hearing.

"The DAT technology would seem the ideal starting point for creating a fair compensation system. Use this space-age digital technology to track copying and to pay for it. We would be able to avoid the criticism that has sandbagged past royalty proposals—the fact that noninfringing uses are caught in the royalty net," he told the delegates.

On Aug. 7, in another speech to members of the American Bar Association, the Register outlined the proposed World Intellectual Property Association model law.

—Jim Rocca

National Book Week Receives $60,000 Grant

National Book Week, America's annual celebration of writers, books and reading, will expand in 1991, thanks to a $60,000 grant from the Lila Wallace-Reader's Digest Fund, the program's major supporter.

Cosponsored by the National Book Foundation, which administers the National Book Awards, and the Center for the Book in the Library of Congress, National Book Week 1991 will be observed Jan. 20-26 with readings, symposia, lectures, exhibitions and other programs.

Six of the 23 state affiliates of the Center for the Book—California, Connecticut, Florida, Kansas, Minnesota and Oklahoma—will host celebrations featuring winners and finalists of the National Book Award for fiction and nonfiction. These events will be underwritten by the Lila Wallace-Reader's Digest Fund. The Book-of-the-Month Club, with support from the Reader's Digest Fund, will sponsor events at the New York Public Library featuring National Book Award winners and finalists. The Center for the Book will sponsor the celebration at LC.

According to John Y. Cole, the center's director, the new grant will greatly strengthen the national observances: "All of our state centers, along with hundreds of individual libraries, will mark National Book Week, he noted, "but the involvement of National Book Award winners and finalists at selected sites around the country dramatically increases public awareness of books and their writers."

This year marks the 40th anniversary of the National Book Awards for fiction and nonfiction, which will be presented Nov. 27 at the Plaza Hotel in New York City.

The Lila Wallace-Reader's Digest Fund promotes the growth and appreciation of the arts in America through projects in the arts.

Guide to *Consilia* Published by LC

Consilia: A Bibliography of Holdings in the Library of Congress and Certain Other Collections in the United States, by Peter R. Pazzaglini and Catharine A. Hawks, has just been published by the Library of Congress.

Consilia form one of the largest collections in the Law Library's Rare Book Room with a few of the rarest consilia held in LC's Rare Book and Special Collections Division. This bibliography provides the first published listing of the Library's consilia holdings, while also serving as a union list covering collections at Harvard, Yale, Columbia, Princeton, the University of California at Berkeley and the Institute for Advanced Study in Princeton, N.J.

The term "consilia" refers to legal analyses of specific cases written by medieval and Renaissance jurists on the Continent. Often they concerned actual cases and were commissioned by judges or, occasionally, by one or more parties in a dispute with the aim of rendering a judgment. Whether based on actual or posited cases, the collections and published editions of consilia were intended to promote the highest professional application of the law and often became, depending upon the skill and reputation of the jurist, authorities themselves.

In explaining the reasons for the popularity of consilia, Dr. Pazzaglini notes: "One reason for the emergence of the consilium relates directly to the role of the judge, especially in Northern Italy. There his role became more difficult, as social and political tensions heightened. Many judges were itinerant, inexperienced and needed expert advice in cases in which knowledge of customary law and local legislation was indispensable."

In addition to Dr. Pazzaglini's essay and the bibliography, there are a place names glossary and index to guide readers from ancient Latin names for the place of publication to current place names as used in America today; an author/editor index with name variants; and a substantial list of references to the literature about consilia.

Consilia is available for $19, including postage and handling. The clothbound 154-page volume may be ordered from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402-9325. Cite the title and stock number (S/N 030-000-00217-2) when ordering. Check or money order should be made payable to the Superintendent of Documents. Orders may also be placed by calling (202) 783-3238.

Head of Japanese Parliamentary Library Presents Catalog to Law Librarian

A group of librarians from the National Diet Library of Japan visited the Law Library Aug. 29

They were here to present the recently published *Catalog of Statutes and Parliamentary Documents of Foreign Countries* to Law Librarian M. Kathleen Price. The catalog, written in Japanese, is current up to 1987.

Keith Ann Stiverson, special assistant to the law librarian, gave the visitors a general tour of the Law Library and an overview of the collections and duties of the staff. Sung Yoon Cho, assistant chief of the Far Eastern Law Division, described the library's holdings relating to Japanese law and legal literature. He and Takeo Nishioka, a legal research analyst, also accompanied the group and showed them the collections of the Far Eastern Law Division.

Visitors from the National Diet Library (NDL) of Japan with Law Library staff (from left): Mie Hoshi, NDL staff member now working in the Japanese Section, Asian Division; Keith Ann Stiverson; Norihiko Narita, chief, Politics and Parliamentary Affairs Division, NDL; Takeo Nishioka; M. Kathleen Price; Masakatsu Katogi, librarian, NDL; Shozo Nakano, chief, Asian Materials Division, NDL; Sung Yoon Cho.

Iraq *(Cont. from p. 351)*

copies of the five U.N. resolutions condemning the Iraqi invasion and a chronology of developments in the crisis; the CRS Library Services Division is preparing a bibliography of publications useful in understanding the history and context of events in the region.

The scope of the task force's research has continued to expand with each new development in the crisis. The earliest questions from Congress were largely foreign affairs-related. But the deployment of troops and the call-up of some reservists prompted a barrage of constituents' letters and phone calls, which were referred to CRS for information on the Soldiers' and Sailors' Civil Relief Act of 1940 (SSRA). The law was drafted to ease the economic burden on mobilized reservists during times of national emergency.

During the first few weeks of the crisis, the CRS American Law Division received as many as 20 reservist-related requests per day, according to assistant chief Kent Ronhovde. (The SSRA provides for a 6 percent interest rate cap on mortgages to activated reservists, among other benefits.)

Premonitions among constituents, Congress members and their staffs of a possible reserve call-up came true, as Capitol Hill staffers, including the Law Library's Master Sgt. Swinson, began receiving orders to report for active duty. More than 100 House and Senate employees, and at least 14 members of Congress, belong to military or National Guard reserve units.

Meanwhile, CRS's Environment and Natural Resources Division analysts and support staff have been busy fielding inquiries on U.S. strategic petroleum reserves and other energy-related questions. The Economics Division of CRS has become increasingly involved in answering questions on the costs of Operation Desert Shield, and on the burden-sharing capacity of other nations to defend Saudi Arabia and enforce the blockade of Iraq.

The Near-Eastern and African Law Division of the Law Library has briefed congressional aides and prepared written analyses of laws in several Persian Gulf countries; copies, translations and written interpretations of treaties between Iraq, Kuwait and Saudi Arabia; laws of the Iraqi Revolutionary Command Council; Kuwaiti currency law; and an Iraqi law that makes hostage-taking illegal, according to the division's August monthly report.

LC's National Library Service for the Blind and Physically Handicapped (NLS) has supplemented its supply of recorded, braille and large-print reading materials for use in military hospitals serving American personnel wounded in the operation. Increased supplies of record and cassette players, pillow-speakers and headphones are already being shipped to the NLS Library at Army headquarters in Heidelberg, Germany. Through NLS the Library supplies recorded audio books and magazines, and the machines to play them on, at military bases and facilities around the world.

The Library's Overseas Operations Division has experienced some slowdown in delivery of materials to and from its Cairo and Karachi, Pakistan, field offices; the American Post Office (APO) mail, the military system that handles these deliveries, has been taxed by the increased mail demands to and from the Middle East.

However long the uncertainty of war looms in the Persian Gulf region, it is certain that the Library, its staff and its collections will continue to play a supporting role in any future resolution.

—David Turner

New Science Tracers

☐ *LC Science Tracer Bullet: Environmental Science Projects.* ISSN 0090-5232, (TB 90-2), May 1990. Compiled by Constance Carter, this literature guide provides reference material in the collections of the Library that will assist junior and senior high school students and teachers in science fair projects that emphasize the environment.

☐ *LC Science Tracer Bullet: Blacks in Science and Related Disciplines.* SSN 0090-5232, (TB 89-9), December 1989. Compiled by Vivian Sammons and Denise P. Dempsey, this literature guide updates and expands TB 85-5 and provides primarily biographical reference material in the collections of the Library pertinent to the scientific accomplishments of blacks.

☐ *LC Science Tracer Bullet: Soviet Union and Eastern Europe: State of the Environment.* ISSN 0090-5232, (TB 90-1), March 1990. Compiled by John F. Buydos, this literature guide provides reference material in the Library's collections on the environment in the Soviet Union and Eastern Europe.

Copies of these publications are free from the Science Reference Section, Science and Technology Division, Library of Congress, Washington, DC 20540.

Children's Picture Books Subject of Symposium

Six featured speakers will explore different facets of the art and design of children's picture books at a symposium sponsored by the Children's Literature Center, "Independent Spirits: Picture Book Makers for Children," in the Mumford Room on Friday, Nov. 2.

For additional information or to make reservations, call the Children's Literature Center at (202) 707-5535.

MEETINGS

☐ German Script Seminar

Margrit B. Krewson, German/Dutch area specialist in the European Division, attended the German Script Seminar in Bethlehem, Pa., June 11-22. This annual seminar is sponsored by the Moravian Archives. The archives is a manuscript repository and specialized library containing original records, rare books, paintings and other research materials dating from Colonial times and pertaining to the Northern Province of the Moravian Church and the Moravian Congregation of Bethlehem.

German script is the type of handwriting used in the German-speaking countries for centuries and in Germany proper until the first part of the 20th century. Nearly all of the official and personal documents written in German up to that time had used German script. It was the approved style of writing in schools. Today script is no longer taught in German schools, but it is essential to researchers dealing with primary materials of previous centuries.

German script went through a long period of evolution between the 11th century, when the first Gothic elements appeared in handwriting, and the 20th century when it was superseded by Latin script.

The seminar consisted of intensive training in the reading of German script, accompanied by lectures on related subjects, such as the history of the script and of German printing and records, and German Colonial architecture as found in Bethlehem and Nazareth, Pa.

☐LC/NACO Discussion Group

Lucia Rather, director for cataloging, Collections Services, Library of Congress, welcomed attendees at a general reporting session during the Chicago meeting of the American Library Association, June 24. She described the progress of the Whole Book Cataloging Experiment at the Library of Congress, noting the favorable evaluation results (see story, page 356).

She referred to the report of the LC Combined Authority Files Committee and noted that comments are welcome; a copy of the report may be obtained by writing Leo Settler, Collections Services, Library of Congress, Washington, DC, 20540.

Joseph Kaczorowski, senior descriptive cataloger, NACO, reported that NACO's primary goal for the year has been to complete the changeover from manual to on-line authority record contribution. Since the January meeting six more libraries have been phased into the Linked System Project (LSP): the universities of Florida, Washington and Georgia, the Center for Research Libraries, Cornell University and Massachusetts Institute of Technology, making a total of 29 NACO libraries using LSP. In July four libraries will send representatives to the Library for LSP training, and in September training will be conducted for the last of the current potential LSP participants. In the three years since LSP contribution began, the following LSP contributions have been received: 65,000 name authorities, 600 series authorities, and 14,000 for changes to names and series.

Mr. Kaczorowski also reported on Cooperative Subject Cataloging Projects (CSCP). He provided background information and noted that NACO and CSCP are forming an expanded office for cooperative cataloging. Since CSCP's inception in October 1983, more than 800 new subject headings and 600 references to existing headings have been contributed to the subject authority file, and more than 1,600 class numbers have been contributed to the classification schedules.

NACO's grand total of record contribution from October 1977 through the end of May 1990 is: 411,000 name authorities, 6,400 series authorities, and 90,000 bibliographic records.

Mr. Kaczorowski provided a NACO Music Project update. About 2,500 new records and 200 changes have been contributed via LSP as a result of this project.

Linda Barnhart of the University of California at San Diego reported on a pilot project involving music headings. UCSD will submit headings to provide a complete file of name/title authorities for Prokofiev based on existing MARC records. Feedback will be sought from the music library community to evaluate the usefulness of this effort in order to assess whether similar efforts should be mounted for other composers.

John Byrum, chief, Descriptive Cataloging Division, and acting chief, Subject Cataloging Division, reported that the two-year NCCP pilot project was to end June 30. The program's production goals were achieved: 11,277 bibliographic records were contributed since the start of the NCCP pilot in 1988. Of those, 4,380 were contributed in fiscal 1989 (through May 26). The rate with which institutions achieved independence from descriptive and subject cataloging and content designation review was encouraging. Mr. Byrum noted that in FY89 it was approximately seven times more expensive for the Library of Congress to process the contributions of a nonindependent library as compared to a fully independent one. A study of NCCP records indicated that 52 percent are used by LC and that contributed records are used by an average of 16.72 other libraries; the median use by other institutions was 11.

Mr. Byrum discussed the May NCCP Steering Committee meeting. NCCP members have found the biggest challenge to be replicating LC subject cataloging policy, suggesting that simplification in this area should continue. The major concern was the cost of participation. Mr. Byrum said LC has funding to continue the NCCP arrangement through September and hopes to find funding to cover the remainder of the calendar year. Beyond that, the future is uncertain. It is clear, however, that there are no funds for expansion of the program under its current procedures; expansion depends on the availability of LSP for bibliographic records. Both the Council on Library Resources and the Library will be issuing detailed reports evaluating the project.

William Moen, network system research analyst, Network Development/MARC Standards Office, reported that there are now about 35 LSP sites phased in for contribution of authority records. Through May total LSP participants have contributed 93,897 new records and updates. In May 1990 72 percent of all NACO contributions were made via LSP; by the end of the year the hope is to have all NACO libraries contributing on-line.

Karen Calhoun, senior product support specialist, OCLC Inc., discussed recent OCLC hardware problems and the steps being taken to avoid loss of transactions. Mrs. Calhoun discussed an OCLC project to enhance capacity for

current LSP service and to allow for anticipated expansion.

Edward Glazier, bibliographic quality assurance officer, RLG Inc., noted that RLIN allows LSP records to be created in the "save" mode and held there for review.

Linda Bartley, coordinator, Cooperative Online Serials Program (CONSER), Library of Congress, reported that all full-level CONSER institutions are now contributing their name authorities via LSP. She announced that Yale University and the University of Michigan plan to contribute CONSER records directly via OCLC. Mrs. Bartley reported that there are now 500,000 authenticated records in the CONSER data base.

☐ Staff Participates in Toronto Meeting

Four staff members took part in the 33rd International Congress of Asian and North African Studies held at the University of Toronto, Aug. 19-25. Papers were presented at library panels organized by the International Association of Orientalist Librarians (IAOL), an organization affiliated with Congress.

James Agenbroad of Information Technology Services spoke on "Difficult Characters," data for testing computer printing of Devanagari script; **Michael Albin** of the Order Division spoke on "Middle East Librarianship and Research at the Library of Congress"; **Abdul Kohar Rony** of the Asian Division spoke on "Jawi Manuscripts at the Library of Congress"; and **Warren Tsuneishi** of the Asian Division spoke on "The Library of Congress and East Asia."

At the IAOL business meeting, leadership of the association passed from the United States to Hong Kong. Dr. Tsuneishi, IAOL's two-term president, passed the baton to Dr. Lai-bing Kan, librarian of the University of Hong Kong. Julia Chan and Michael Costin of the University of Hong Kong were elected secretary-treasurer and editor of the IAOL *Bulletin,* respectively.

☐ Center for the Book

John Y. Cole, director of the Center for the Book, was a featured speaker Sept. 15 in Omaha in a program inaugurating the Nebraska Center for the Book. The event was held in the Alumni House on the University of Nebraska campus.

Program officer **Maurvene D. Williams** represented the center on Sept. 16 in New York City at the New York Is Book Country street fair, where the center shared an exhibit booth with Friends of Libraries U.S.A. and the American Library Association.

BIOSIS Joins CONSER

BIOSIS has become an affiliate member of CONSER.

The CONSER Program is an effort to build and maintain cooperatively a comprehensive machine-readable data base of authoritative bibliographic information for serial publications, as well as to uphold standards and exercise leadership in the serials information community. The OCLC-funded program is coordinated by the Library; members include national libraries, university libraries and abstracting services.

As the world's largest English-language abstracting and indexing service for the life sciences, BIOSIS monitors approximately 9,000 serial titles for the *BIOSIS Previews* data base and the *BioBusiness* data base. *BIOSIS Previews* includes serials in the life sciences while *BioBusiness Previews* also covers serials concerned with the business applications and economics of biological and biomedical research.

As the fourth affiliate CONSER member, BIOSIS joins other members of the subscription services and abstracting and indexing communities that contribute specific fields to CONSER records. BIOSIS has been associated with CONSER for several years; becoming an affiliate member is the latest stage in the relationship between the national serials bibliographic data base and this abstracting and indexing service.

Expressing his enthusiasm for the program, H. Edward Kennedy, BIOSIS's president, stated, "We recognize the valuable role CONSER plays in maintaining authoritative bibliographic information for serial publications, as well as its leadership role in providing serials information. We are committed to furthering the advancement of efforts which promote ease of use and consistency for our users."

For further information, contact Linda Bartley, the coordinator of the CONSER Program, Serial Record Division, Library of Congress, Washington, DC 20540, (202) 707-5302.

Preliminary planning has begun for a 1993 conference to be held at the Library of Congress

on

Thomas Jefferson and the Education of a Citizen in the American Republic

Sponsored by

The Center for the Book in the Library of Congress
The Rare Book and Special Collections Division of the Library of Congress
The Institute of Early American History and Culture

Potential participants should submit a one-page paper proposal and a curriculum vitae to:

James Gilreath
American History Specialist
Rare Book and Special Collections Division
Library of Congress
Washington, DC 20540
202-707-5434

Suggestions for sessions and recommendations for possible participants are also encouraged.

DEADLINE: January 1, 1991

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